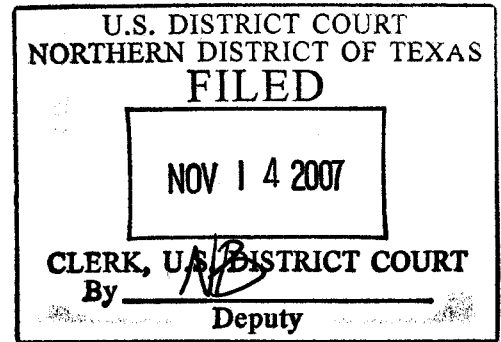


B
ORIGINAL

John Holman Barr
State Bar No. 01798700
George Nicholas
State Bar No. 14991400
Katherine Ruesch (Jayroe)
State Bar No. 24047330
BURT BARR & ASSOCIATES, L.L.P.
P.O. Box 223667
Dallas, Texas 75222-3667
Attorneys for Defendants



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

16614

3-07CV1895-B

MASSOUD NASSERI
Plaintiff

vs.

MSS TRANSPORTATION, INC.
d/b/a FREEDOM CAB, IRVING
HOLDINGS COMPANY, INC. d/b/a
YELLOW CAB, YELLOW CHECKER
CAB COMPANY OF DALLAS/FORT
WORTH, INC, SULEIMAN
al-DAGESH, and SALAMEH al DEGHS
Defendants

§ No. _____
§
§
§
§
§ NOTICE OF REMOVAL OF ACTION
§ UNDER 28 U.S.C. § 1446(A)
§ (FEDERAL QUESTION)
§
§
§
§

DEFENDANTS' NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendants, MSS Transportation, Inc. d/b/a Freedom Cab, Irving Holdings, Inc. d/b/a Yellow Cab, Yellow Checker Cab Company of Dallas/Fort Worth, Inc., and Suleiman al-Dagesh, Salameh al-Deghs hereby remove to this Court the state court proceeding described below.

Defendants file this notice of removal under 28 U.S.C. §1446(a).

A. Introduction

1. Plaintiff is Massoud Nasser; Defendants are MSS Transportation, Inc. d/b/a Freedom Cab,

LAW OFFICES OF
BURT BARR & ASSOCIATES, L.L.P.

P.O. BOX 223667
DALLAS, TEXAS 75222-3667

DEFENDANTS' NOTICE OF REMOVAL
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Page 1

Irving Holdings, Inc. d/b/a Yellow Cab, Yellow Checker Cab Company of Dallas/Fort Worth, Inc., and Suleiman al-Dagesh, Salameh al-Deghsh.

2. On October 2, 2007, Plaintiff sued Defendants in Cause No. DC-07-11756 in the 14th District Court of Dallas County, Texas, for breach of contract and vague and broad claims of civil conspiracy, tortious interference and unfair competition including claims that Defendants are “violating local and state law requirements that no company enjoy a monopoly over the taxi permits in Dallas/Fort Worth Metroplex.” See Plaintiff’s Original Petition.

3. Defendants were served with notice of the suit on October 4, 2007. Although this case was not removable when originally filed, it became removable on and after November 2, 2007, because of “other documents” that put Defendants on notice that Plaintiff sued under Federal Law. *See* 28 U.S.C. §1446(b); *Knudsen v. Liberty Mut. Ins. Co.*, 435 F.3d 755, 757 (7th Cir. 2006). Plaintiff when asked, via electronic mail from Defendants’ attorney, George Nicholas, the basis for his claims, replied through counsel “Sections 1 and 2 of the Sherman Antitrust Act, 15 U.S.C. §§1, 2.” *See Exhibit A.* When asked Defendant’s counsel could not articulate how Defendants’ alleged violations of the “Sherman Act” did not involve a “federal question”. Since Plaintiff’s pleadings were so broad and vague Defendants reasonably sought to have Plaintiff meaningfully disavow that it was asserting claims and causes of action under the Sherman and Clayton Acts in the state court suit. Defendants sent Plaintiff a proposed written “Stipulation” wherein Plaintiff was asked to confirm that he was not asserting any cause of action that arose under any Federal Antitrust Act including the Sherman Act and the Clayton Act. *See Exhibit B.* Plaintiff refused and continues to refuse to sign or enter the Stipulation. Defendants file this notice of removal within 30 days of receipt of the electronic mail notice and Plaintiff’s failure and refusal to disavow that it is asserting

claims under the Federal Antitrust Act including the Sherman Act and the Clayton Act. *See Knudsen at 757.*

B. Basis for Removal

4. Removal is proper because

(A) Plaintiff's suit involves a federal question. 28 U.S.C. §§1331, 1441(b); *Grable & Sons Metal Prods., Inc. v. Darue Eng'g & Mfg.*, 545 U.S. 308, 312, 125 S. Ct. 2363, 2366 (2005); *Long v. Bando Mfg. of Am., Inc.*, 201 F.3d 754, 757-58 (6th Cir. 2000); *Peters v. Union Pac. R.R.*, 80 F.3d 257, 260 (8th Cir. 1996). Specifically, Plaintiff's claim arises under the Sherman Antitrust Act, 15 U.S.C. §§1,2. Plaintiff makes various allegations in his Original Petition that Defendants have monopoly over the taxi permits in the Dallas/Fort Worth Metroplex; Defendants have violated a series of laws to "annihilate" any competition in the DFW Metroplex; and Defendants have engaged in anticompetitive acts and unfair business practices which has resulted in an unfair competitive advantage for Defendants. Plaintiff additionally stated to Defendants via email that the basis of these claims were brought under "Sections 1 and 2 of the Sherman Antitrust Act." *See Exhibit A.*

5. All other defendants who have been served with summons consent to the removal of this case to federal court. *Balazik v. County of Dauphin*, 44 F.3d 209, 213 (3d Cir. 1995); *see* 28 U.S.C. §1446(a)

6. All pleadings, process, orders, and other filings in the state court action are attached to this notice as required by 28 U.S.C. §1446(a).

7. Venue is proper in this district under 28 U.S.C. §1441(a) because the state court where the action has been pending is located in this district.

8. Defendants will promptly file a copy of this notice of removal with the clerk of the state court where the action has been pending.

C. Jury Demand

9. Defendants did demand a jury in the state court action.

D. Conclusion

10. On October 4, 2007 Defendants received notice that Plaintiff filed suit against them based on various claims against Defendants. In the Original Petition Plaintiff alleged that Defendants violated a state or local law as Defendants owned more than 50% of the taxi permits in the Dallas/Fort Worth Metroplex and thereby had a monopoly on the taxi permits. When asked to cite to the underlying law providing the basis for his claims against Defendants; Plaintiff stated to Defendants that his claims were based on 15 U.S.C. §§ 1,2. For these reasons, Defendants ask the court to remove the action to the United States District Court - Northern District of Texas.

Respectfully submitted,

BURT BARR & ASSOCIATES, L.L.P.

By: 

JOHN HOLMAN BARR

State Bar No. 01798700 ✓

GEORGE NICHOLAS

State Bar No. 14991400 ✓

KATHERINE RUESCH (JAYROE)

State Bar No. 24047330 ✓

P.O. Box 223667

Dallas, Texas 75222-3667

(214) 943-0012

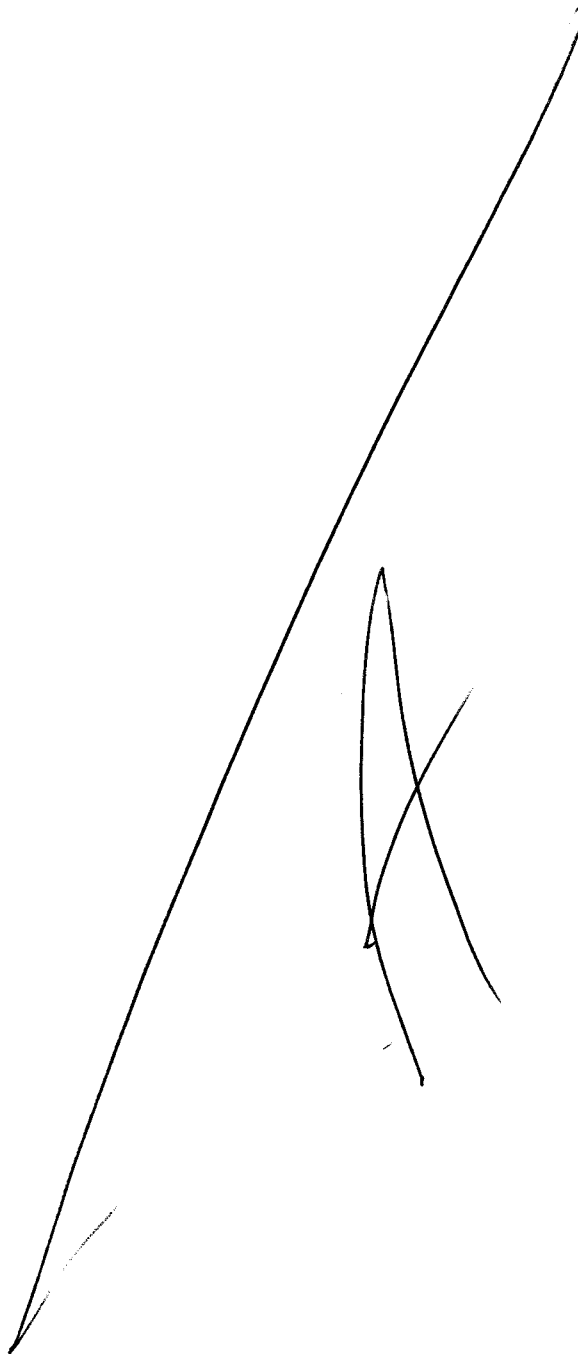
(214) 943-0048 Fax

LAW OFFICES OF
BURT BARR & ASSOCIATES, L.L.P.

P.O. BOX 223667

DALLAS, TEXAS 75222-3667

EXHIBIT "A"



George Nicholas

From: George Nicholas
Sent: Friday, November 02, 2007 3:25 PM
To: 'brianlauten@lautenfirm.com'
Subject: Re: Nasser v. MSS - Allegation of local 50% taxi permits rule or ordinance

Thanks - I will take that to mean that there is no city ordinance stating a 50 percent rule but you think there are violations of federal antitrust laws. Barr is out of town but I will forward your message to him and let you know when I hear from him.

Sent from my BlackBerry Wireless Device

-----Original Message-----

From: Brian P. Lauten <brianlauten@lautenfirm.com>
To: George Nicholas <gnicholas@bbarr.com>
Sent: Fri Nov 02 14:27:29 2007
Subject: RE: Nasser v. MSS - Allegation of local 50% taxi permits rule or ordinance

Sections 1 and 2, Sherman Anti-Trust Act 15 U.S.C. §§ 1, 2, but please be advised that we are not pleading or invoking any federal question. As a professional courtesy, I want to take you and John Barr to lunch (preferably before we brief some of the Donald Hill issues and before I discuss this matter with the media). Let me know what your calendar looks like.

Brian P. Lauten

The Lauten Firm, P.C.

2626 Cole Avenue, Suite 850

Dallas, Texas 75204

214-720-0022 telephone

214-720-0024 facsimile

brianlauten@lautenfirm.com

www.lautenfirm.com

Admitted in Texas, Montana, & Wyoming

-----Original Message-----

From: George Nicholas [mailto:gnicholas@bbarr.com]
Sent: Friday, November 02, 2007 1:46 PM
To: Brian P. Lauten (E-mail)
Subject: [SPAM 13]Nasser v. MSS - Allegation of local 50% taxi permits rule or ordinance

Brian:

You state in Paragraph 14 of Plaintiff's Original Petition: "Yellow Cab cannot acquire MSS because the City of Dallas will not allow any company to own more than 50% of the taxi permits in Dallas, Texas". I have reviewed Chapter 45 "Taxicabs" of The Dallas City Code and I cannot find a "no more than 50% of taxi permits" section or rule anywhere. Defendants don't believe that there is such a City of Dallas rule, regulation or ordinance. If we are wrong about the matter will you please point me to the rule, regulation or ordinance that you are referring to and where it might be located so I can review it. On the other hand, I recall meeting with you prior to the filing of the suit and this same issue about the alleged 50% rule came up and you could not cite us to a City of Dallas rule, regulation or ordinance. If this is just a matter of Plaintiff asserting a rule that does not exist then we respectfully ask that it be removed from Plaintiff's operative pleading.

George F. Nicholas

Burt Barr & Associates, L.L.P.

203 East Colorado Blvd.

Dallas, Texas 75203

(214) 943-0012 phone

(214) 943-0048 fax

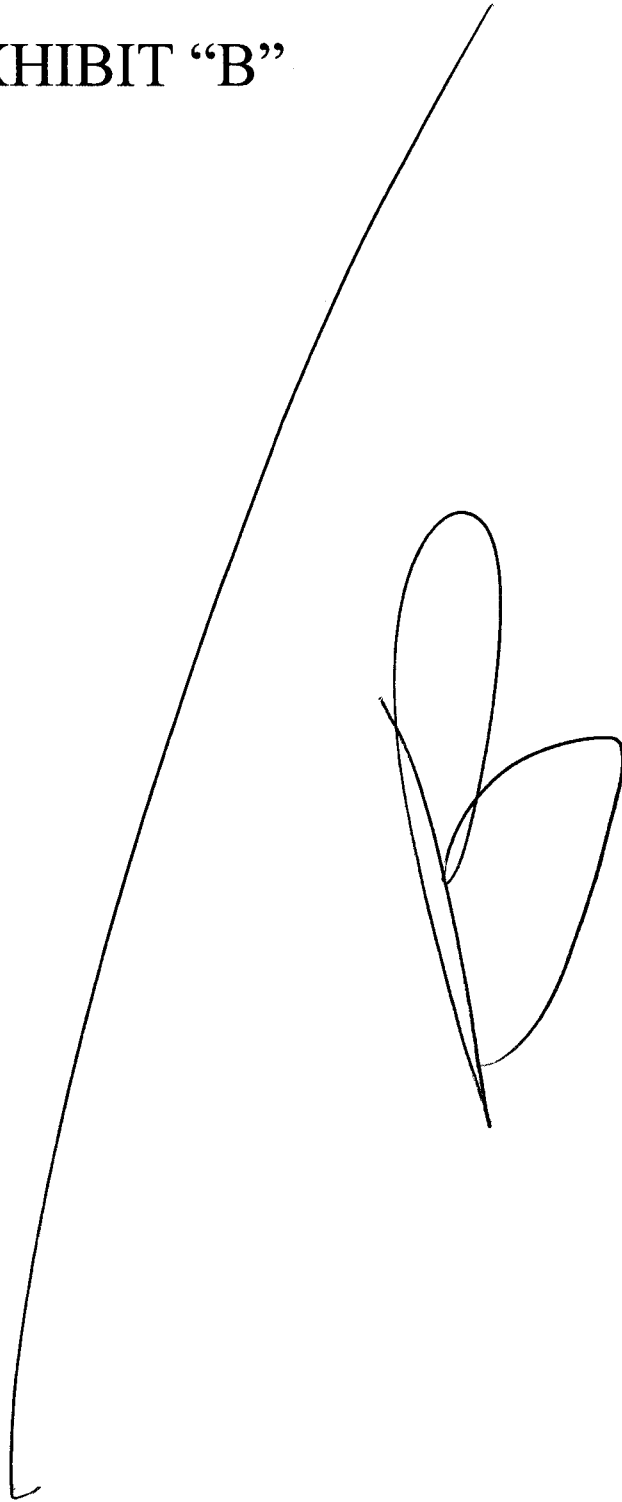
gnicholas@bbarr.com

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EXHIBIT "B"



George Nicholas

From: George Nicholas
Sent: Tuesday, November 06, 2007 1:05 PM
To: Brian P. Lauten (E-mail)
Cc: Forest Nelson; John Barr; Katherine Ruesch
Subject: Requested Stipulation Disavowing Federal Antitrust Claims

Brian:

On behalf of the Plaintiff, Massoud Nasseri, you have filed an extremely broad petition that by our reading seeks to assert federal antitrust claims. Plaintiff claims that: ***"Yellow Cab has systemically violated a series of laws in order to annihilate any meaningful competition for consumers living and visiting DFW."*** Plaintiff also claims that: ***"Yellow Cab is also operating, directing and controlling Jet Taxi, U.S. Cab, Eagle Cab, and several other companies so that it can monopolize the taxi services in DFW."*** You then incorporate these broad claims of monopoly and anti-competitive acts into Plaintiff's general counts for unfair competition, civil conspiracy and tortious interference.

Since you have not stated violations of any particular law, statute or ordinance I asked you which law that Defendants are alleged to have violated. You answered the "Sherman Act" but that you were not asserting a federal question. I don't understand your qualification since alleged violations of the Sherman Act are federal questions. We understand that you would rather be in state court than federal court, but if Plaintiff continues to allege these broad antitrust claims then Defendants may remove this case to federal court. **If the Plaintiff wants to avoid the removal then we ask that Plaintiff enter into the attached stipulation that disavows any present or future claim in this lawsuit under a federal law or statute including federal antitrust laws - the Sherman Act and/or Clayton Act.**

This request for stipulation to clarify Plaintiff's claims should not be construed as a waiver of our demand that Plaintiff dismiss all claims and parties from this lawsuit that are not related to the contractual disputes between MSS Transportation, Inc. and Plaintiff Nasseri-G.P.D.A., Inc. since Defendants assert that these claims are groundless in law and fact and made for purposes of harrassment.



STIPULATION.wpd

George F. Nicholas
Burt Barr & Associates, L.L.P.
203 East Colorado Blvd.
Dallas, Texas 75203
(214) 943-0012 phone
(214) 943-0048 fax
gnicholas@bbarr.com

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CAUSE NO. 07-11756

MASSOUD NASSERI

Plaintiff,

Vs.

MSS TRANSPORTATION, INC.
d/b/a FREEDOM CAB, IRVING
HOLDINGS COMPANY, INC. d/b/a
YELLOW CAB, YELLOW CHECKER
CAB COMPANY OF DALLAS/ FORT
WORTH, INC., SULEIMAN
al-DAGESH and SALEMAH al-DEGHSH

Defendants,

IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

14th JUDICIAL DISTRICT

AGREED STIPULATION

COMES NOW JOINTLY, PLAINTIFF, MASSOUD NASSERI (“Plaintiff”) AND
DEFENDANTS MSS TRANSPORTATION, INC. d/b/a FREEDOM CAB, IRVING
HOLDINGS COMPANY, INC. d/b/a YELLOW CAB, YELLOW CHECKER CAB COMPANY
OF DALLAS/FORT WORTH, INC. SULEIMAN al-DAGESH and SALEMAH al-DEGHSH
 (“Defendants”) and file this stipulation concerning the claims and causes of action asserted by
Plaintiff in the above referenced suit:

Plaintiff hereby stipulates that Plaintiff is not pleading or asserting in the above referenced lawsuit, and shall not plead or assert in the future in this lawsuit, any claims or causes of action under any federal law or statute including Federal Antitrust Statutes and Laws in the United States Code including, without limitation , the Sherman Antitrust Act and the Clayton Act.

LAW OFFICES OF
BURT BARR & ASSOCIATES, L.L.P.

P.O. BOX 223667
DALLAS, TEXAS 75222-3667

AGREED STIPULATION

Respectfully submitted,

BURT BARR & ASSOCIATES, L.L.P.

By: _____
JOHN HOLMAN BARR
State Bar No. 01798700
GEORGE NICHOLAS
State Bar No. 14991400
P.O. Box 223667
Dallas, Texas 75222-3667
(214) 943-0012
(214) 943-0048 Fax

Agreed as to form and content:

Brian Lauten
The Lauten Firm, P.C.
2626 Cole Avenue, Suite 850
Dallas, Texas 75204
Attorney for Plaintiff

George Nicholas
Burt Barr and Associates, LLP
203 East Colorado Avenue
Dallas, Texas 75222
Attorney for Defendants

LAW OFFICES OF
BURT BARR & ASSOCIATES, L.L.P.

P.O. BOX 223667
DALLAS, TEXAS 75222-3667

AGREED STIPULATION

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Massoud Nasser

3-07 CV 1895 - B

DEFENDANTS

MSS Transportation, Inc. d/b/a Freedom Cab, Irving Holdings, Inc. d/b/a Yellow Cab, Yellow Checker Cab Company of Dallas/Fort Worth, Inc., Sulciman al-Dagesh and Salameh al-Dagesh

(b) County of Residence of First Listed Plaintiff Dallas
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Dallas
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Brian P. Lauten and Amy Bryan Lauten
The Lauten Firm
2626 Cole Avenue, Suite 850
Dallas, Texas 75204
(214)720-0022

RECEIVED

NOV 14 2007

CLERK, U.S. DISTRICT COURT

Attorneys (If Known)

John Holman Barr, George Nicholas, and Katherine Ruesch
Burt Barr and Associates, LLP
P.O. Box. 223667
Dallas, Texas 75222-3667
(214) 943-0012

II. BASIS OF JURISDICTION

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

| CONTRACT | TORTS | | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|--|--|--|--|--|---|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury | PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 420 Copyrights <input type="checkbox"/> 430 Patent <input type="checkbox"/> 440 Trademark | <input type="checkbox"/> 400 State Reapportionment <input checked="" type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions |
| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights | PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition | LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act | SOCIAL SECURITY <input type="checkbox"/> 61 HIA (1395ff) <input type="checkbox"/> 62 Black Lung (923) <input type="checkbox"/> 63 DIWC/DIWW (405(g)) <input type="checkbox"/> 64 SSID Title XVI <input type="checkbox"/> 65 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 70 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 71 IRS—Third Party 26 USC 7609 | |

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

15 U.S.C §§ 1.2. Plaintiffs filed action against Defendants in state court alleging various causes of action including breach of contract, civil conspiracy, unfair competition, and tortious interference. The causes of action are based upon Plaintiff's allegations that Defendants have violated Sections 1 and 2 of the Sherman Antitrust Suit.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE 11-14-2007 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

ORIGINAL

**United States District Court
Northern District of Texas**

**Supplemental Civil Cover Sheet For Cases Removed
From State Court**

This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S. District Clerk's Office. Additional sheets may be used as necessary.

1. State Court Information:

3-07CV1895-B

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

Court

14th Judicial District Court
Dallas County, Texas

Case Number

DC-07-11756

2. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code.)

Party and Party Type

Massoud Nasseri
Plaintiff

MSS Transportation, Inc. d/b/a
Freedom Cab, Irving Holdings, Inc.
d/b/a Yellow Cab, Yellow Checker
Cab of Dallas/ Fort Worth, Suleiman
al-Dagesh, and Salameh al-Dagesh

Defendants

Attorney(s)

Brian P. Lauten
Texas Bar No. 24031603
Amy Bryant Lauten
Texas Bar No. 24011148
The Lauten Firm
2626 Cole Avenue, Suite 850
Dallas, Texas 75204
(214)720-0022

John Holman Bar
Texas Bar No.
George Nicholas
Texas Bar No.
Katherine Ruesch (Jayroe)
Texas Bar No.
Burt Barr. & Associates, LLP
P.O. Box 223667
Dallas, Texas 75222-3667
(214)943-0012

3. Jury Demand:

Was a Jury Demand made in State Court?

☒ Yes

☐ No

If "Yes," by which party and on what date?

Defendants
Party

10/25/2007
Date

4. **Answer:**

Was an Answer made in State Court?

☒ Yes

☐ No

If "Yes," by which party and on what date?

Defendants
Party

10/25/2007
Date

5. **Unserved Parties:**

The following parties have not been served at the time this case was removed:

Party
GDPA, Inc. d/b/a King Cab.

Reason(s) for No Service

6. **Nonsuited, Dismissed or Terminated Parties:**

Please indicate any changes from the style on the State Court papers and the reason for that change:

Party
None at this time.

Reason

7. **Claims of the Parties:**

The filing party submits the following summary of the remaining claims of each party in this litigation:

Party

Claim(s)

Plaintiff

Defendants engaged in anticompetitive practices of Defendants that resulted in Defendants violating various laws including the Sherman Antitrust Act 15 U.S.C. §§1,2. Plaintiff also alleges breach of contract, civil conspiracy, tortious interference, and unfair competition actions against Defendants

Defendants

Defendants alleges various causes of action against Plaintiff including breach of contract, statutory and common law fraud, and breached of fiduciary duty.